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6 Attorneys for USACM Liquidating Trust

7 **UNITED STATES BANKRUPTCY COURT**
8 **DISTRICT OF NEVADA**

9 In re:

10 USA Commercial Mortgage Company,
11 USA Capital Realty Advisors, LLC,¹
12 USA Capital Diversified Trust Deed Fund,
13 LLC,
14 USA Capital First Trust Deed Fund, LLC,²
15 USA Securities, LLC,³

Debtors.

16 **Affects:**

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**DECLARATION OF JOHN
HINDERAKER IN SUPPORT OF
NUNC PRO TUNC MOTION TO
FURTHER EXTEND DEADLINE TO
FILE OBJECTION TO
ALLOWANCE OF CLAIMS; AND
CERTIFICATE OF SERVICE**

Date: November 18, 2008

Time: 9:30 a.m.

I, John Hinderaker, hereby declare under penalty of perjury that:

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 26, 2007.

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I am a partner with Lewis and Roca LLP who represents the USACM Liquidating Trust in this matter.

I submit this declaration on behalf of the Nunc Pro Tunc Motion to Further Extend Deadline to File Objection to Allowance of Claims (the "Motion") [DE 3582] filed by the USACM Liquidating Trust (the "USACM Trust"), as successor to USA Commercial Mortgage Company ("USACM").

I make the following declaration based upon my personal knowledge,

I have been in charge of preparing objections to the allowance to claims in this case.

The failure to timely move to extend the deadline to file objections to the allowance of claims is due in part to a serious family medical emergency that arose for me.

I make this declaration under penalty of perjury of the laws of the United States of America on October 23, 2008.

By s/John Hinderaker
John Hinderaker

Copy of the foregoing served on October 23, 2008, via e-mail to all parties listed on the Post Effective Date Service List on file with this Court:

/s/ Renee Creswell
Renee Creswell
Lewis and Roca LLP